IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.1418 OF 2006
IN
SUIT NO.2131 OF 1994

Seatech Services Ltd. & Anr. .. Plaintiffs.
Versus
Standard Breweries & Distilleries
And Others .. Defendants.

Mr.V.Krishna i/b.Wadia Gandhi for plaintiffs.
Ms.Walter Lewis i/b.Mulla & Mulla for defendant No.1

CORAM : S.C.DHARMADHIKARI, J.
DATE : 19TH JULY, 2007.

P.C.:

1. This Chamber Summons is taken out for seeking condonation of delay in filing written statement.

2. The defendants have set out several reasons, which according to them, constitute "sufficient cause" for not being able to present their written statement within the time stipulated by this Court. They do not dispute the fact that the suit is of 1994, writ of summons was duly served, that time to file written statement had expired, that the suit was listed for "Ex-Parte" on the ground that there is no written statement on record. However, despite these undisputed facts they say that on account of lapse on the part of their Advocates, they should not suffer.

3. Considering the cause shown so also taking a lenient view and protecting the rights of the plaintiffs,

the following order is passed :-

a) On the 1st defendant paying costs quantified at Rs.15,000/- within a period of two weeks from today, their written statement shall be taken on file. Cost condition precedent. To be paid to the plaintiffs' Advocate and proof thereof to be produced before the Registry. It is only in this event that the written statement would be taken on record.

4. Chamber Summons disposed of in the above terms.

5. All concerned to act upon an authenticated copy of this order.

(S.C.Dharmadhikari, J.)